

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

FILED IN OPEN COURT

DATE: 9-24-10

W. K. Sullivan
DEPUTY CLERK

United States of America

v.

Don Francis Simonpietri

Defendant

Case No.

5-10-CR-00025

AGREEMENT TO FORFEIT REAL PROPERTY TO OBTAIN A DEFENDANT'S RELEASE

To obtain the defendant's release, we jointly and severally agree to forfeit the following property to the United States of America if this defendant fails to appear as required for any court proceeding or for the service of any sentence imposed as may be noticed or ordered by any court considering this matter, or fails to comply with any conditions of release set by the court (describe property and any claim, lien, mortgage, or other encumbrance on it):

TAX MAP 19-37 : 38, Warren County VA containing
54.55 acres of land, more or less (copy of
Treasurer's bill attached)

Ownership. We declare under penalty of perjury that we are this property's sole owners and that it is not subject to any claim, lien, mortgage, or other encumbrance except as disclosed above. We promise not to sell, mortgage, or otherwise encumber the property, or do anything to reduce its value while this agreement is in effect. We deposit with the court the following ownership documents, including any encumbrance documents (list all documents and submit as attachments):

See Attached Treasurer's bill.

Surety Information. We understand that the court and the United States of America will rely on the surety information in approving this agreement.

Conditions of Release. We state that we have either read all court-ordered conditions of release imposed on the defendant or had them explained to us.

Continuing Agreement. Unless the court orders otherwise, this agreement remains in effect during any appeal or other review until the defendant has satisfied all court notices, orders, and conditions.

Exoneration of Sureties. This agreement is satisfied and ends if the defendant is exonerated on all charges or, if convicted, the defendant reports to serve any sentence imposed.

Forfeiture. If the defendant fails to obey all conditions of release, court notices, and orders to appear, the court will immediately order the property forfeited and on motion of the United States of America may order a judgment of forfeiture against the signing parties and their representatives, jointly and severally, including interest and costs.

AO 100 (Rev. 06/09) Agreement to Forfeit Real Property to Obtain a Defendant's Release

I swear under penalty of perjury that the above information is true and agree to the conditions of this agreement.

Date: 9-24-10

X Don F. Henriquez
Defendant (if a property owner)

City and state: _____

Property owner's printed name_____
Property owner's signature_____
Property owner's printed name_____
Property owner's signature_____
Property owner's printed name_____
Property owner's signature

Sworn and signed before me.

CLERK OF COURT

Date: 9-24-10

M. P. Pugliese, Deputy Clerk
Signature of Clerk or Deputy Clerk

Agreement accepted.

UNITED STATES OF AMERICA

Date: _____

Assistant United States Attorney's signature

Agreement approved.

Date: 9-24-10

[Signature]
Judge's signature